

to Urino. Applicant respectfully traverses the Examiner's rejections. As will be explained further below, the present invention is not anticipated by Staunton '532, and as such is not made obvious by Staunton '532 either alone or in combination with any of the above references.

*Mislabeling  
of blaze flank  
& counter-flank*

The Examiner has drawn a number of comparisons between the present invention as claimed and Staunton '532 by listing the elements claimed in Claim 1, and juxtaposing element numbers from Staunton '532 thereby. It appears, however, that the Examiner has mislabeled a number of the elements in Staunton '532. First, the Examiner states that element 1 of Fig. 2 in Staunton '532 comprises a blaze flank. As can be seen in the disclosure of Staunton '532, "[t]he planes 1-2 and 2-3 provide two different blaze angles." (Col. 3, lines 27-28). Thus, the plane 1'-3 does not comprise a blaze flank, but instead comprises a counter-flank, with the planes 1-2 and 2-3 comprising the blaze flanks. The blaze flank of Staunton '532 has two planar sections, while the counter flank comprises a single plane. Such an alignment is consistent with an Eschelette-type grating.

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The identification of the blaze flank in Staunton '532 can be further confirmed through the location of the blaze angle, identified as  $\theta$  in Fig. 1, which is shown between the horizontal positioning line and the plane A - B1. This corresponds exactly to the multi-planar embodiment shown in Fig. 2 as comprising planes 1 - 2, and 2 - 3, which designates those planes as being a part of the blaze flank, not the counter flank. The counter flank, on the other hand, is not disclosed as having a specific angle relative to the horizontal plane.

Contrarily, the present invention comprises a Littrow grating having a single plane blaze flank located at a Littrow angle ( $75^\circ$  for the grating period D and light of a wavelength of 193.35 nm), and a biplanar counter flank. This configuration is exactly the opposite of the above, as is consistent with the differences between a Littrow grating and a Eschelette grating.

Based on the above, it is clear that Staunton '532 does not disclose the present invention as claimed because, at a minimum, it fails to show a counter flank having at least two substantially plane area sections. Further, Staunton '532 does not suggest the present invention as claimed, as it shows and discloses both a grating type and a structure that is completely opposite of the present invention. Therefore, Applicant respectfully submits that the Examiner has improperly rejected Claim 1 of the present application as it is neither anticipated by nor obvious over Staunton '532, and as such requests that the Examiner's rejection of that claim now be withdrawn. Further, Applicant additionally submits that the remaining claims of the application, namely claims 2-12, are all dependent from the now-allowable Claim 1, and therefore include all of the limitations of that claim. Thus, Applicant additionally submits that the Examiner's remaining rejections of Claims 2-12 should be considered moot in view of the above, and as such should similarly be deemed allowable at this time.

Despite the above, Applicant has amended Claim 1 of the application to additionally include the limitation that the region of the intersection between the planar sections of the counter flank is lower than the lowest area of the blaze flank. Although the comments above show that the present Claim 1 is not anticipated nor made obvious by Staunton '532, the current amendment helps that claim read even more clearly over Staunton '532, as well as all other references disclosed by and to the Examiner. Accordingly, it is respectfully submitted that independent Claim 1, as amended, as well as the claims which depend therefrom, patentably distinguish over Staunton '532, as well as all of the other prior art of record.

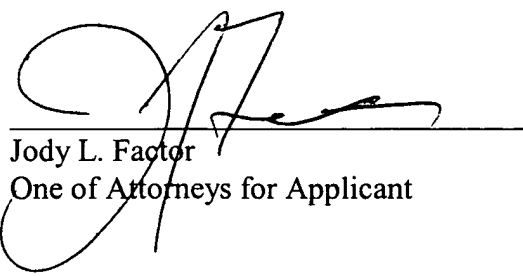
In light of the foregoing, Applicant submits that the present application should now be in condition for allowance. Accordingly, reconsideration and passage to allowance of Claims 1-12, as amended, is respectfully requested.

Should anything further be required, a telephone call to the undersigned, at (312) 226-1818,  
is respectfully invited.

Respectfully submitted,

FACTOR & PARTNERS, LLC

Dated: July 24, 2002

  
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Jody L. Factor  
One of Attorneys for Applicant

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being  
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Jody L. Factor

### **AMENDED CLAIMS WITH MARKINGS TO SHOW CHANGES**

1. Littrow grating with a multiplicity of parallel diffraction structures succeeding one another periodically, which are arranged on a support defining a base area and each incorporate a blaze flank inclined towards the base area substantially at the Littrow angle and a counter-flank, wherein the blaze flank and the counter-flank form at the apex of a diffraction structure an apex angle with is less than  $90^\circ$ , characterised in that the counter-flank (6) comprises at least two substantially plane area sections (7, 8) which, bordering one another and inclined relative to one another by an angle of inclination ( $\beta$ ), extend parallel with the extension direction of the diffraction structure (3), wherein due to the inclination of the at least two area sections (7, 8) relative to one another the counter-flank (6) all in all exhibits a concave surface viewed from the light incidence side, and in that the region of the counter flank where the two substantially plane area sections (7, 8) meet, is lower than the lowest area of the blaze flank.